

UNITED STATES DISTRICT COURT, DISTRICT OF NEW MEXICO

SENTENCING MINUTE SHEET

CR No.	12-1248-MV	USA vs.	Ben, Jr.
Date:	July 18, 2013	Name of Deft:	Herbert Ben, Jr.
Before the Honorable		Martha Vázquez	
Time In/Out:	11:00 a.m. / 11:35 a.m.	Total Time in Court (for JS10):	35 minutes
Clerk:	Linda Romero	Court Reporter:	Susan Sperry
AUSA:	Jacob Wishard	Defendant's Counsel:	Michael Alarid, Jr.
Sentencing in:	Santa Fe, New Mexico	Interpreter:	None
Probation Officer:	Loyola Garcia	Sworn?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Convicted on:	<input checked="" type="checkbox"/> Plea <input type="checkbox"/> Verdict	As to:	<input checked="" type="checkbox"/> Information <input type="checkbox"/> Indictment
If Plea:	<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Not Accepted	Adjudged/Found Guilty on Counts:	
If Plea Agreement:	<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Not Accepted	No Plea Agreement	Comments:
Date of Plea/Verdict:	1/3/13	PSR:	<input checked="" type="checkbox"/> Not Disputed <input type="checkbox"/> Disputed
PSR:	<input checked="" type="checkbox"/> Court Adopts PSR Findings	Evidentiary Hearing:	<input checked="" type="checkbox"/> Not Needed <input type="checkbox"/> Needed
Exceptions to PSR:			
SENTENCE IMPOSED		Imprisonment (BOP): 248 days or time served, whichever is less	
Supervised Release:	1 year	Probation:	500-Hour Drug Program
Court recommends ICE begin removal proceedings immediately or during service of sentence			ICE not applicable
SPECIAL CONDITIONS OF SUPERVISION			
<input type="checkbox"/>	Comply with ICE laws and regulations	<input type="checkbox"/>	Community service for _____ months _____ days
<input type="checkbox"/>	Substance abuse treatment program	<input type="checkbox"/>	Reside residential reentry center _____ months _____ days
<input type="checkbox"/>	Mental health treatment program	<input type="checkbox"/>	Register as sex offender
<input checked="" type="checkbox"/>	No alcohol/intoxicants	<input type="checkbox"/>	Participate in sex offender treatment program
<input checked="" type="checkbox"/>	Submit to search of person/property for alcohol	<input type="checkbox"/>	Possess no sexual material
<input checked="" type="checkbox"/>	No contact with victim or victim's family	<input type="checkbox"/>	No computer with access to online services
<input type="checkbox"/>	No entering, or loitering near, victim's residence	<input type="checkbox"/>	No contact with children under 18 years
<input type="checkbox"/>	Provide financial information	<input type="checkbox"/>	No volunteering where children supervised
<input type="checkbox"/>	Grant limited waiver of confidentiality	<input type="checkbox"/>	Restricted from occupation with access to children
<input type="checkbox"/>		<input type="checkbox"/>	No loitering within 100 feet of school yards
<input checked="" type="checkbox"/>	OTHER: Defendant shall attend AA meetings twice a month for the first three months. A psycho-sexual assessment and risk assessment shall be performed with copies of the report going to counsel and the Court. Further conditions of supervised release may be imposed after the parties and the Court have reviewed the assessment and report.		
Fine:	\$ 0	Restitution:	\$ 0
SPA:	\$ 25	Payment Schedule:	<input checked="" type="checkbox"/> Due Imm. <input type="checkbox"/> Waived
OTHER:			
<input type="checkbox"/>	Advised of Right to Appeal	<input checked="" type="checkbox"/>	Waived Appeal Rights per Plea Agreement
<input type="checkbox"/>	Held in Custody	<input type="checkbox"/>	Voluntary Surrender
<input type="checkbox"/>	Recommended place(s) of incarceration:		
<input type="checkbox"/>	Dismissed Counts:		
OTHER COMMENTS		Court addresses defendant. Defense counsel addresses Court. Government counsel addresses Court. Defendant addresses Court.	